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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 18, 1999

APPLICATION OF

HYPERION COMMUNICATIONS OF
OF VIRGINIA, LLC

CASE NO. PUC980156

For certificates of public
convenience and necessity to
provide local exchange and
interexchange telecommunications
services

FINAL ORDER

On November 5, 1998, Hyperion Communications of Virginia, LLC ("Hyperion" or "the Company") completed an application for certificates of public convenience and necessity ("certificate") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. The Company further requested authority to price its interexchange services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia.

By Order dated December 1, 1998, the Commission directed the Company to provide notice to the public of its application, directed the Commission Staff to conduct an investigation and file a report, and scheduled a public hearing to receive evidence relevant to Hyperion's application. On January 8,

1999, Hyperion filed a copy of its parent's¹ most recent SEC Form 10-Q.

On January 21, 1999, the Staff filed its report finding that Hyperion's application was in compliance with the Commission's Rules for Local Exchange Telephone Competition as adopted in Case No. PUC950018 and the Commission's Rules Governing the Certification of Interexchange Carriers, as amended in Case No. PUC850035. Therefore, the Staff recommended that Hyperion be granted a certificate for interexchange telecommunications services and a certificate for local exchange telecommunications services.

A hearing was conducted on January 27, 1999. Hyperion filed proof of publication and proof of service as required by the scheduling order dated December 1, 1998. At the hearing, the proof of notice, application and accompanying statements, and the Staff's report were entered into the record without objection.

Having considered the application and the Staff's report, the Commission finds that Hyperion should be granted certificates to provide local exchange and interexchange telecommunications services.

¹ Hyperion Telecommunications, Inc.

Accordingly, IT IS THEREFORE ORDERED THAT:

(1) Hyperion Communications of Virginia, LLC hereby is granted a certificate of public convenience and necessity, No. T-433, to provide local exchange telecommunications services subject to the restrictions set forth in the Commission's Rules for Local Exchange Telephone Competition, § 56-265.4:4 of the Code of Virginia and the provisions of this order.

(2) Hyperion Communications of Virginia, LLC is hereby granted a certificate of public convenience and necessity, No. TT-63A, to provide interexchange services subject to the restrictions set forth in the Commission's Rules Governing the Certification of Interexchange Carriers, § 56-265.4:4 of the Code of Virginia, and the provisions of this order.

(3) Hyperion shall provide tariffs to the Division of Communications which conform with all applicable Commission rules and regulations.

(4) Pursuant to § 56-481.1 of the Code of Virginia, Hyperion may price its interexchange services competitively.

(5) There being nothing further to come before the Commission, this case shall be dismissed and the papers herein placed in the file for ended causes.